

November 12, 2019

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

**Re: WC Docket No. 11-42, *Lifeline and Link Up Reform & Modernization*
WC Docket No. 10-90, *Connect America Fund*
WC Docket No. 09-197, *Eligible Telecommunications Carriers***

Dear Ms. Dortch:

On Thursday, November 7, 2019, I spoke by phone with Alisa Valentin, Special Advisor to Commissioner Geoffrey Starks, regarding a pending Petition for Waiver¹ that requests a pause in implementation of Lifeline minimum service standards. Separately, on Friday, November 8, Matt Wood of Free Press spoke by phone to Travis Litman, Chief of Staff and Senior Legal Advisor to Commissioner Jessica Rosenworcel, regarding the same topic.

In both conversations, Free Press reiterated² our support for grant of this Joint Petition, and expressed our concerns regarding the approaching date when changes to these standards otherwise would come into effect. The Commission should grant the waiver given the several claims of significant Lifeline service disruptions should these standards be implemented, and given their potential to confuse subscribers while jeopardizing their ability to remain in the program.

We also voiced our concerns about an alternative proposal³ that still would permit the pending decrease in support for voice-only service. Free Press has long argued that this decrease in the subsidy for voice-only service is misguided. It would reduce choice for all Lifeline recipients and harm some of the most vulnerable subscribers who rely on this option to stay connected.⁴ And we are not alone in recognizing the importance of the voice-only option in the current proceeding.⁵

¹ See *Joint Petition to Pause Implementation of December 2019 Lifeline Minimum Service Standards Pending Forthcoming Marketplace Study*, WC Docket Nos. 11-42, 09-197 & 10-90 (filed June 27, 2019) (“Joint Petition”).

² See Comments of Free Press, WC Docket No. 11-42, at 2-4 (filed July 31, 2019).

³ See National Lifeline Association & Q Link Wireless LLC Notice of Oral *Ex Parte* Presentation, WC Docket Nos. 17-287, 11-42, 09-197 & 10-90, at 3 (filed Nov. 1, 2019) (proposing service option for voice-only at a \$7.25 subsidy support amount for 1,000 minutes).

⁴ See Comments of Free Press, WC Docket Nos. 17-287, 11-42 & 09-197 at 19 (filed Feb. 21, 2018); Reply Comments of Free Press, WC Docket No. 11-42, at 11-12 (filed Sept. 30, 2015); Comments of Free Press, WC Docket No. 11-42, at 50 n.52 (filed Aug. 31, 2015).

⁵ See, e.g., Letter from Ken McEldowney, Executive Director, Consumer Action, to Marlene Dortch, Secretary, Federal Communications Commission, WC Docket Nos. 11-42, 09-197 & 10-90 (filed Nov. 8, 2019) (supporting the TracFone proposal in regards to 3GB but making the increase contingent on “a commitment by the FCC to freeze the voice subsidy at its current level and take no other steps affecting Lifeline until the study is completed”).

Further, as we explained in our comments on the Joint Petition, the Commission must complete the State of the Lifeline Marketplace Report as soon as practicable. Only when the Commission is in possession of all relevant data can it proceed with reasoned decisionmaking. The Commission's apparent willingness to engage in discussions over alternative proposals implicitly acknowledges that some pause is needed. However, without the additional information that should be provided by this report, analysis of whether a 3GB allotment or a phasedown in support for voice-only service seems a speculative or even purely political consideration.⁶

Too many people rely on Lifeline and the voice-only option. Further delay and brinksmanship are completely unacceptable, and the Commission should grant the pause that the Joint Petition requests while committing to collecting more data to resolve uncertainty it has sown.

Respectfully Submitted,

/s/ Leo Fitzpatrick

Leo Fitzpatrick
Policy Counsel

⁶ This apparent back and forth negotiation between some but not all stakeholders – including only some of the initial joint petitioners – only strengthens the need for more certainty and more good data rather than less, as the Commission appears to have embraced in its consideration of alternatives to the pending joint waiver request.